

**REMARKS**

The Application has been carefully reviewed in light of the Office Action dated November 2, 2004. Claims 1, 2, 17, 22 and 24-27 have been amended. No new matter has been included. Claims 3, 4 and 28 have been canceled in this paper. Applicants reserve the right to pursue the original claims and other claims in this and in other applications. Claims 1, 2 and 17-27 remain pending in the application.

The drawings stand objected to based on certain informalities. A set of corrected replacement drawing sheets and a marked-up version showing the changes are attached as Exhibits C and D, respectively. On February 1, 2002, Applicants filed a set of formal drawings to replace the originally filed drawings. These drawings did not contain any changes, they were merely filed as better quality drawings. As such, no annotations were required. In any event, Applicants hereby submit new drawings to correct the informalities raised in the Office Action. Specifically, the new drawings correct the "fuzziness," the misspelled words, and the missing edge identified in the Office Action. Moreover, the designation "Prior Art" has been added to FIGS. 7 and 8 per the Examiner's request. The objection should be withdrawn.

The title of the invention and the Abstract stand objected to based on certain informalities. Applicants have amended the title and the Abstract to address the concerns expressed by the Office Action. The title now reads: "AN IMAGE COMPARISON APPARATUS AND METHOD FOR CHECKING AN IMAGE OF AN OBJECT AGAINST A STORED REGISTRATION IMAGE." The abstract has been amended as shown in the attached substitute specification (See Exhibits A and B). Applicants respectfully submit that the objections be withdrawn.

The disclosure stands objected to as not complying with 35 U.S.C. § 112, first paragraph. Reconsideration is respectfully requested. A substitute specification and a

marked-up version of the specification are being submitted concurrently herewith and are attached as Exhibits A and B, respectively. The substitute specification addresses the concerns raised by the Examiner. The substitute specification contains no new matter. Accordingly, Applicants respectfully submit that the objection to the disclosure be withdrawn.

Claims 22 and 26 stand objected to based on certain informalities. Applicants have amended claims 22 and 26. The amendments address the concerns of the Office Action. Applicants respectfully request that the objection be withdrawn.

Claims 24-27 stand rejected under 35 U.S.C. § 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicants have amended claims 24-27. The concerns raised in the Office Action have been addressed by the amendments to claims 24-27. Applicants respectfully request that the rejection be withdrawn and the claims allowed.

Claims 24-25 stand rejected under 35 U.S.C. § 112, first paragraph. Claims 24-25 have been amended in accordance with the Examiner's suggestions to address the concerns raised in the Office Action. Applicants respectfully submit that the rejection should be withdrawn.

Claims 3, 4 and 28 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Burt (U.S. Patent No. 5,063,603). Claims 3, 4 and 28 have been canceled solely to further the prosecution of the application. The rejection should be withdrawn.

Claim 2, 24 and 26 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Seeley (U.S. Patent No. 6,069,655). Applicants respectfully traverse the rejection and request reconsideration.

Claim 2 recites an image comparison method comprising the steps of “detecting a press of a check start button; [and] comparing said at least one acquired image with at least one previously memorized registration image.” Claim 2 further recites “outputting a first comparison result indicating whether said at least one acquired image matches said at least one registration image; and repeating said comparing step using a different acquired image, if said comparison result indicates no match, until at least one of said plurality of acquired images matches at least one registration image or until there are no more acquired images for comparison.”

Seeley does not disclose these limitations. Seeley relates to a video security system and specifically discloses establishing a reference image and comparing a current image. (column 4, lines 3-6). Seeley does not disclose checking images when “a check start button” is pressed. Nor does Seeley disclose repeating a comparison if the “comparison result indicates no match, until at least one of said plurality of acquired images matches at least one registration image or there are no more acquired images for comparison.” For at least these reasons claim 2 is allowable over Seeley. Claims 24 and 26 depend from claim 2 and should be allowable along with claim 2 for at least the same reasons set forth above and also because Seeley fails to teach or suggest the respective inventive combinations defined by claims 24 and 26. Applicants respectfully request that the rejection be withdrawn and claim 2, 24 and 26 allowed.

Claims 1, 2 and 17-21 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Burt in view of Kawano (U.S. Application No. 2002/0015094). Applicants respectfully traverse the rejection and request reconsideration.

Claim 1 recites “a camera responsive to said object detection sensor for acquiring a plurality of acquired images prior to the pressing of a check start button and responsive to operation of said check start button for acquiring at least one

acquired image of the photograph object.” Claim 1 further recites “a comparison system for initiating a comparison of said at least one acquired image with at least one previously memorized registration image, and outputting a first comparison result indicating whether said at least one check image matches said at least one registration image; and in a case where the first comparison result indicates no match, said comparison system initiates a second comparison of a prior acquired image obtained prior to said at least one acquired image and compares said prior acquired image with said at least one registration image and outputs a second comparison result.”

Burt relates to a image-processing method that recognizes objects of a given class. Burt specifically teaches recognizing objects based on a group of known generic attributes. However, Burt does not disclose, teach or suggest the use of “a check start button for acquiring at least one acquired image of the photograph object.” Nor does Burt teach or suggest a comparison system “where [if] the first comparison result indicates no match, said comparison system initiates a second comparison of a prior acquired image obtained prior to said at least one acquired image and compares said prior acquired image with said at least one registration image and outputs a second comparison result.” Burt fails to teach or suggest at least these limitations and thus, does not teach the claim 1 invention.

The Office Action seeks to overcome the deficiencies of Burt with Kawano. However, Kawano also fails to teach or suggest a “check start button” function or a comparison system, which will conduct “a second comparison of a prior acquired image obtained prior to said at least one acquired image and compares said prior acquired image with said at least one registration image” if “the first comparison result indicates no match.” Whether viewed alone or in combination, Burt and Kawano fail to teach or suggest the limitations of the claim 1 invention.

Claim 2 recites “an image comparison method comprising the steps of “detecting a press of a check start button; [and] comparing said at least one acquired image with at least one previously memorized registration image.” Claim 2 further recites “outputting a first comparison result indicating whether said at least one acquired image matches said at least one registration image; and repeating said comparing step using a different acquired image, if said comparison result indicates no match, until at least one of said plurality of acquired images matches at least one registration image or until there are no more acquired images for comparison.” For at least the reasons set forth above, Burt in view of Kawano also fails to teach or suggest the limitations of the claim 2 invention. The cited combination fails to teach the use of a “check start button” or a comparison system which will conduct “a second comparison of a prior acquired image obtained prior to said at least one acquired image and compares said prior acquired image with said at least one registration image” if “the first comparison result indicates no match.”

Claim 17 recites “a check start button for beginning a comparison between said at least one photographic image and photographic images previously stored by said image comparison apparatus in order to determine whether a match exists and for outputting at least one comparison result.” Claim 17 further recites that “[if] there is a negative result [from the comparison result], the comparison apparatus compares another at least one captured acquired image of the object with said at least one registration image.” As set forth above, neither Burt nor Kawano teach or suggest the claim 17 limitations. Claims 18-21 depend from claim 17 and are allowable along with claim 17 for at least the same reasons set forth above and also because Burt in view of Kawano fails to teach or suggest the respective inventive combinations defined by claims 18-21. The rejection should be withdrawn and the claims allowed.

Claims 22 and 23 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Burt in view of Kawano and further in view of Coffin (U.S. Patent No. 5,991,429). Applicants respectfully traverse the rejection and request reconsideration. Claims 22 and 23 depend from claim 17 and thus, recite “a check start button for beginning a comparison” and “[if] there is a negative result [from the comparison result], the comparison apparatus compares another at least one captured acquired image of the object with said at least one registration image.”

For at least the reasons set forth above, the cited combination of Burt in view of Kawano fails to teach or suggest these limitations. Likewise, Coffin also fails to teach or suggest these limitations. Coffin relates to a method and apparatus for identifying individuals for the purposes of determining the identity of an image of a person's face based on a comparison process. However, Coffin does not teach or suggest “a check start button for beginning a comparison” or “[if] there is a negative result [from the comparison result], the comparison apparatus compares another at least one captured acquired image of the object with said at least one registration image.” Thus, the cited combination fails to teach or suggest these limitations and fails to teach or suggest the respective inventive combinations defined by claims 25 and 27. The rejection should be withdrawn and the claims allowed.

Claims 25 and 27 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Seeley. Applicants respectfully traverse the rejection and request reconsideration. Claims 25 and 27 depend from claim 2. For at least the reasons stated above, Seeley fails to teach or suggest the limitations of claim 2. Consequently, Seeley does not teach or suggest the respective inventive combinations defined by claims 25 and 27. That is, Seeley fails to teach or suggest the use of a “check start button” or a comparison system that will conduct “a second comparison of a prior acquired image obtained prior to said at least one acquired image and compares said prior acquired

image with said at least one registration image" if "the first comparison result indicates no match." The rejection should be withdrawn and the claims allowed.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejections and to pass this application to issue.

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Respectfully submitted,

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